

Message Text

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ACTION ARA-06

INFO OCT-01 ISO-00 INR-05 L-01 EB-04 SS-14 SP-02 IO-06
DLOS-02 OES-02 PRS-01 /044 W
-----222333Z 083336 /73
R 221248Z APR 77
FM AMEMBASSY PORT AU PRINCE
TO SECSTATE WASHDC 4746
INFO AMEMBASSY KINGSTON
USMISSION USUN

C O N F I D E N T I A L SECTION 1 OF 2 PORT AU PRINCE 1456

STADIS////////////////////////////////

LIMDIS

EO 11652 GDS
TAGS: PLOS, PBOR, HA, US
SUBJECT: NAVASSA ISLAND AND HAITI'S NEW 200-MILE ECONOMIC ZONE

REF: (A) PORT AU PRINCE 1384, (B) PORT AU PRINCE A-24 (NOTAL)

1. THE HAITIAN GOVERNMENT'S DECLARATION OF A 200-MILE
MARITIME ECONOMIC ZONE (REFS), CONTAINING AN INVITATION
TO THE NEIGHBORING COUNTRIES CONCERNED" TO ENTER INTO
NEGOTIATIONS ABOUT THE DELIMITATION OF OVERLAPPING CLAIMS,
RETURNS TO THE FRONT BURNER HAITI'S DECEMBER 1974
REQUEST THAT THE U.S. RENOUNCE ITS CLAIM TO NAVASSA
ISLAND WHICH EVERY HAITIAN CONSTITUTION HAS INCLUDED
WITHIN HAITI'S SOVEREIGN TERRITORY. AS DEPARTMENT WILL
RECALL, WE DEFERRED OUR RESPONSE TO 1974 REQUEST PENDING
CLARIFICATION OF THE STATUS OF ISLANDS IN THE ONGOING
LAW OF THE SEA (LOS) CONFERENCE. RATHER CURIOUSLY, WE
HAVE NOT BEEN PRESSED BY THE GOH FOR AN ANSWER.

2. THE FOREIGN MINISTRY HAS TOLD THE EMBASSY WE
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WILL RECEIVE OFFICIAL NOTIFICATION OF THE NEW DECREE
BUT WE DO NOT KNOW WHETHER THE MINISTRY WILL REGARD
US AS ONE OF THE "CONCERNED COUNTRIES. WHEN
POLITICAL OFFICER CALLED ON CHIEF OF MINISTRY'S
LEGAL DIVISION (MATHIEU) APRIL 18 FOR BACKGROUND
INFORMATION, QUESTION OF NAVASSA WAS NOT RAISED.
MATHIEU REITERATED SEVERAL TIMES THAT U.S. WAS NOT

DIRECTLY CONCERNED BECAUSE IT IS "SO FAR AWAY," SUGGESTING THAT GOH STILL REJECTS THE U.S. CLAIM TO NAVASSA LOCATED OFF HAITI'S SOUTHWEST COAST, AND ASSUMES WE WILL NOT ASSERT OUR CLAIM IN A MANNER THAT WOULD COMPLICATE HAITI'S NEGOTIATIONS WITH CUBA AND JAMAICA ON ECONOMIC ZONE.

3. MATHIEU SAID PURPOSE OF DECREE WAS TO PROTECT HAITI'S FUTURE RIGHTS AND TO INFORM CONCERNED COUNTRIES THAT HAITI WAS PREPARED TO DISCUSS OVERLAPPING CLAIMS. HE SAID THAT HAITI'S MISSION TO THE UN WOULD FORMALLY INFORM CUBA OF DECREE AND IMPLIED THAT ANY SUBSEQUENT NEGOTIATIONS WITH CUBA WOULD BE CONDUCTED BY THE TWO COUNTRIES' REPRESENTATIVES IN NEW YORK. MATHIEU WAS NOT CERTAIN WHETHER DECREE WOULD BE SUPPLEMENTED BY LEGISLATION IN NATIONAL ASSEMBLY.

4. THE HAITIAN DECREE FORCES AN ISSUE WHICH HAS REMAINED UNRESOLVED WITH THE U.S. GOVERNMENT. AS WE UNDERSTAND IT, LEAVING ASIDE LOS CONSIDERATION, THE ARA BUREAU WOULD FAVOR CEDING SOVEREIGNTY OVER THIS GUANO ISLAND, FOLLOWING THE PRECEDENT ESTABLISHED FOR SIMILAR U.S. POSSESSIONS ADJACENT TO LATIN OR CENTRAL AMERICAN STATES. THE U.S. COAST GUARD, HOWEVER, INSISTS THAT MARITIME SAFETY IN THE WINDWARD PASSAGE REQUIRES CONTINUED U.S. CONTROL, OPERATION, AND SUPERVISION OF THE LIGHTHOUSE ON NAVASSA UNDER U.S. SOVEREIGNTY.

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5. OUR OPTIONS, AS SEEN FROM HERE, ARE:

A. PROPOSE NEGOTIATIONS ON THE BASIS OF TWO CONFLICTING CLAIMED ECONOMIC ZONES.

THIS WOULD HAVE THE ADVANTAGE OF PROTECTING OUR SOVEREIGNTY OVER NAVASSA WHILE AWAITING THE OUTCOME OF LOS NEGOTIATIONS. SINCE WE DO NOT IN FACT USE NAVASSA AS A BASE FOR ECONOMIC OPERATIONS, INCLUDING FISHING, WE SHOULD BE ABLE TO GRANT HAITI ACCESS TO WATERS

ADJACENT TO NAVASSA ON TERMS THAT WOULD RECOGNIZE HAITI'S SPECIAL INTEREST AND MINIMIZE PROCEDURAL OBSTACLES. SO FAR AS WE ARE AWARE, GOH HAS NO PLANS OF CAPABILITY FOR EXPLOITING WATERS ADJACENT TO NAVASSA. ON OTHER HAND, HAITI (AND PROBABLY CUBA AND JAMAICA AS WELL) WOULD LOOK ON OUR CLAIMING AN EXTENDED MARITIME ZONE DRAWN FROM NAVASSA AS UNREASONABLE. THEY

WOULD DISCERN RESIDUAL NINETEENTH CENTURY ATTITUDES
IN OUR TAKING SUCH A POSITION, DERIVED FROM
POSSESSION OF AN UNINHABITED GUANO ISLAND, AND
WOULD ASSET IT WAS INCONSISTENT WITH REAFFIRMED
U.S. COMMITMENTS TO RESPECT LATIN AMERICAN
SOVEREIGNTY.

B. TAKE NOTE OF THE HAITIAN DECLARATION WITHOUT RAISING
THE NAVASSA ISSUE.

THIS COURSE WOULD AVOID CONFRONTATION. HOWEVER, IT
WOULD UNDERMINE IF NOT DESTROY OUR ABILITY TO DEFEND
OUR SOVEREIGNTY CLAIM OVER NAVASSA AT A LATER DATE.
IT WOULD CREATE A FALSE HAITIAN IMPRESSION OF U.S.
ACQUIESCENCE IN THEIR DECREE.

C. MAKE NO IMMEDIATE RESPONSE TO THE HAITIAN DECLARATION
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AND SEEK URGENT AGREEMENT AMONG USG AGENCIES THAT U.S.
SOVEREIGNTY OVER NAVASSA BE CEDED TO HAITI PROVIDED WE
RETAIN THE RIGHT TO MAINTAIN NAVIGATIONAL FACILITIES ON
THE ISLAND.

THIS COURSE WOULD RECOGNIZE A FUNDAMENTAL PROBLEM
OF POLICY -- THAT WE COULD NOT, UNLESS WE CHOSE TO
DISREGARD HAITIAN AND HEMISPHERIC SENSIBILITIES, USE
NAVASSA AS THE BASIS FOR CLAIMING AN EXTENDED MARITIME ZONE.
THE TIMING OF NEGOTIATIONS ON NAVASSA MIGHT HAVE TO
BE LEFT TO THE LOS OUTCOME, BUT WE WOULD INDICATE TO

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ACTION ARA-06

INFO OCT-01 ISO-00 INR-05 L-01 EB-04 SS-14 SP-02 IO-06
DLOS-02 OES-02 PRS-01 /044 W
-----222333Z 083436 /73
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C O N F I D E N T I A L SECTION 2 OF 2 PORT AU PRINCE 1456

STADIS////////////////////////////////

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THE GOH THE ELEMENTS OF OUR POSITION IN ADVANCE.
AN EARLY INDICATION IS IMPORTANT TO ERASE ANY
DOUBT AS TO OUR INTEREST, AND TO AVOID CREATING
AN ISSUE THAT THE GOH OR ITS NEIGHBORS MIGHT SEEK
TO EXPLOIT.

6. WE PREFER OPTION C ON THE GROUNDS OF SIMPLICITY,
REALISM, AND CONGRUENCE WITH THE THRUST OF OUR POLICIES
TOWARD LATIN AMERICA.

7. ACTION REQUESTED. DEPARTMENT IS REQUEST TO COMMENT
AND PROVIDE APPROPRIATE GUIDANCE.

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